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 SIMMONS BEDDING COMPANY
 7 and DREAMWELL, LTD.
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 ZINUS, INC.,
 13 a California corporation,
 14

Plaintiff,

15 v.
 16 SIMMONS BEDDING COMPANY,
 17 an Delaware corporation, and
 DREAMWELL, LTD., a limited liability
 company of Nevada

Defendants.

CASE NO. 07-CV-03012-PVT

**DEFENDANTS' MOTION FOR
ENLARGEMENT OF TIME TO
RESPOND TO COMPLAINT**

The Honorable Patricia V. Trumbull

19 Pursuant to Civil Local Rule 6-3, defendants Dreamwell, Ltd. and Simmons Bedding
 20 Company (collectively referred to as "Defendants") hereby move for an enlargement of time to
 21 respond to the Complaint in this action, from the current deadlines of July 12 and July 17
 22 respectively to a common date of August 8, 2007. Defendants' motion is made on the grounds
 23 that counsel for Defendants was only selected to handle this case last week; that there is
 24 insufficient time to investigate and analyze the personal jurisdiction, subject matter jurisdiction,
 25 patent infringement, and other factual and legal issues raised by the Complaint, as required by
 26 Federal Rule of Civil Procedure 11, by the current response deadlines; and that lead counsel for
 27 Defendants is on vacation this week, and will be unable to conduct the required investigation and
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1 prepare an appropriate response before the beginning of August. This extension is the first time
2 modification requested in this action, and if granted, it will not impact any of the other
3 scheduling or deadlines in this case.

4 Defendants' motion is based on the supporting Declaration of Kenneth B. Wilson in
5 Support of Defendants' Motion for Enlargement of Time to Respond to Complaint ("Wilson
6 Declaration"), and the [Proposed] Order Granting Defendants' Motion for Enlargement of Time
7 to Respond to Complaint. The facts necessitating the requested extension are set forth in detail
8 in the supporting Wilson Declaration.

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10 Date: July 10, 2007.

PERKINS COIE LLP

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12 By: _____ /s/
13 Kenneth B. Wilson
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15 Attorneys for Defendants SIMMONS
16 BEDDING COMPANY and
17 DREAMWELL, LTD.
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